



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Gruber  
Appl. No.: 10/772,647  
Conf. No.: 5813  
Filed: February 4, 2004  
Title: PHARMACEUTICAL FORMULATION CONTAINING DYE  
Art Unit: 1615  
Examiner: Unknown  
Docket No.: 111458-004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, be made during the course of examination of the above-identified application for United States patent. Pursuant to the Official Gazette Notice dated August 5, 2003, copies of the cited U.S. patents and patent applications are not included as this application was filed after June 30, 2003. However, copies of all other cited references are included with this form.

**U.S. PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
3,980,766	September 14, 1976	Shaw et al.
4,769,372	September 6, 1988	Kreek
4,785,000	November 15, 1988	Kreek et al.
5,266,331	November 30, 1993	Oshlack et al.
5,472,943	December 5, 1995	Crain et al.
5,508,042	April 16, 1996	Oshlack et al.
5,549,912	August 27, 1996	Oshlack et al.
5,656,295	August 12, 1997	Oshlack et al.
6,228,863	May 8, 2001	Palermo et al.
6,245,357	June 12, 2001	Edgren et al.

**FOREIGN PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
WO 99/32119	July 1, 1999	PCT

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Adam H. Masia

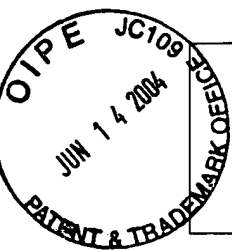
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Phone: (312) 807-4284

Dated: June 8, 2004



**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
(Use several sheets if necessary)

PTO Form 1449

Atty Docket No.  
111458

Application No.  
10/772,647

Applicant  
Thomas Gruber

Filing Date  
February 4, 2004

Group  
1615

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	3,980,766	September 14, 1976	Shaw et al.			
	4,769,372	September 6, 1988	Kreek			
	4,785,000	November 15, 1988	Kreek et al.			
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**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No
	WO 99/32119	July 1, 1999	PCT				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Examiner's Initials	

Examiner:

Date Considered:

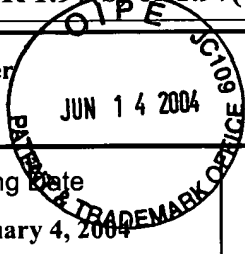
\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

JPW

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
111458-004

In Re Application Of: Thomas Gruber



Serial No.  
10/772,647

Filing Date  
February 4, 2004

Examiner  
Unknown

Group Art Unit  
1615

Title: **PHARMACEUTICAL FORMULATION CONTAINING DYE**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
111458-004

In Re Application: Thomas Gruber

Serial No.  
10/772,647

Filing Date  
February 4, 2004

Examiner  
Unknown

Group Art Unit  
1615

**PHARMACEUTICAL FORMULATION CONTAINING DYE**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on June 8, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature

Dated: June 8, 2004

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